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But everyone would know that relentlessly going forward you would expect everyone to be a good citizen and you already have the tools you have done such a great job. I mean it is not just that you have an EJSEAT but EJ view alone allows anybody to type in their street address and say, oh wow look at all of this stuff and we are all in the game together and there are going to be expectations on all of us to do a better job.

I think that you really might be able to leverage a lot of positive benefits very quickly by changing expectations and everybody who is responsible knows I am going to have a role that I have to help cure.

MR. YEAMPIERRE: So we are down to the wire. We are going to take one more question. Jody?

MS. HENNEKE: Mine is more of an observation and it is building a little bit on what Vernice said and that is in my perspective is more from the Gulf Coast but in dealing with as the Interagency Working Group has been re-energized and the Administrator's Gulf Coast Restoration Task Force and all of the events, let's just call them events, that have happened in the Gulf Coast over the last several years it has focused for me how difficult, and I will try to say this kindly, how difficult it is to work with the Corp of Engineers.

Their corp mission has changed over the decades, they have gone from navigation and flood control to being very involved in environmental decisions and in a way that they may be technically prepared for but not organizationally in any way and Vernice if you think they blow the communities off, they are right there blowing off the states as well.

It is very difficult to work with them in a way that is meaningful that doesn't turn into decades worth of effort that never really winds up with much except spending billions of dollars and I would encourage as we have these opportunities over the next several months to a couple of years to see if we can help finesse that in any way possible.

It doesn't have anything to do with the individual, it has to do with the mission of the Agency and how they feel like they are to accomplish what they are supposed to accomplish however slowly it takes.

MS. YEAMPIERRE: I want to thank you for your thoughtful and candid presentation. I think it was remarkable that you actually spent time with each member of the permitting committee and so I want to extend a heartfelt thank you.

We are going to break now for lunch. We will be back. If you look at the agenda it says that we return at 1:00, we will be back at 1:30, 1:30 okay?

(Meeting adjourned for lunch at 12:04 p.m.)

AFTERNOON SESSION

(1:34 p.m.)

EPA Plan EJ 2014: Supporting community-based Action -- An Overview

Presentation by Mathy Stanislaus, EPA Assistant Administrator, Office of Solid Waste and Emergency Response

MS. YEAMPIERRE: So Mathy, welcome to the NEJAC.

MR. STANISLAUS: Hello everyone. It is great being here. As you all know I am the Assistant Administrator for the Office of Solid Waste and Emergency Response. We are responsible for almost everything hazardous in solid waste, Superfund Program, Solid Waste Program, Federal facilities, underground storage tanks, all kinds of the RCRA kind of issues.

So one of the things that the Administrator charged us and what I am trying to do is really kind of operationalize the --- in a real kind of substantive way, in a real way that we can bring about tangible kind of results in a way that kind of deals with overburden communities and really trying to move the ball on Environmental Justice in a real kind of a community based mechanism.

I have spoken at your prior NEJAC meetings about some of the other activities that I am doing. So I am going to focus today on Plan EJ 2014 so you got some discussion earlier today about Plan EJ 2014 and it really maps out the EJ strategy through 2014, the 20th anniversary of the creation of the EJ Program.

What I am going to focus in on is one aspect of that and that is the cross agency focus area of supporting community based action programs. For those of you who know me and I have spent a

lot of my career in kind of really figuring out how to link a community of authentic community based strategy to bring about a problem solving and problem solution.

So I have been charged to really spearhead that effort and try to figure out how the Agency can develop a set of tools to address EJ from a kind of community based place based method.

So what I really want to get from you is kind of a feedback on what you think works or your experience of things that have worked from a community based place based perspective and things that we could take a look at and to really kind of operationalize that in a kind of real way to provide again tools view.

Let me touch on kind of a few programs that I think are successful that I would like to get your input on. One is the CARE Program and the CARE Program is widely recognized because it is kind of a community based approach.

It provides resources to do problem solving at a local level and I visited a number of communities that have had the benefit of CARE grants and the tangible successes of not only the relationships and trust building that occurs but also real tangible risk reduction in communities that are overburdened.

So can we take that example and operationalize that throughout other of EPA's programs? So we are looking at in terms of EPA what are the kind of short list of kind of community based approaches within all of EPA's programs.

We are also looking at through the Interagency Working Group that Lisa Garcia is participating on is how can we also link that with other Federal Agencies work. EPA is involved in the sustainability partnership with HUD and DOT, we are expanding that to include a number of other agencies, that is a potential vehicle.

But there are other kinds of ways that you all suggest in terms of a community based approach with other Federal Agencies where we are kind of interested in hearing that. So what my plan is to develop an initial implementation plan but also realizing that it is going to be kind of an --- process. What I would like to do is to identify some initial activities that we can do to initial set out of tools or activities within our programs really advance kind of a community based approach to address Environmental Justice.

So we have convened a working group internally to begin thinking through what are some of the examples and I give CARE as an example as something we can look at to replicate or integrate within our programs.

So we have had some initial preliminary calls within the Agency. So my goal is to really try to have an initial implementation plan in the next few months and then continue to work on that and kind of hone it in and kind of advance that over the next period of time.

So let me pose a number of questions for you for some initial feedback. But I also would like to talk to you about the ongoing engagement with you in the shorter term to really move the ball on this.

One, are there particular community based activities both the EPA or State agencies or local agency that you think we can replicate nationally to begin solving Environmental Justice issues?

Are there particular Environmental Justice circumstance that you think lend itself to a community based approach and what are those particular community based approaches? It could be technical assistance, it could be kind of a planning effort. So I would be interested in that.

Are there particular strategies that you think work from a community based perspective to look at the cumulative exposure issues that is a significant Environmental Justice. From the perspective of, I would couch it as a cumulative risk reduction strategy.

I had participated before I got into this job is looking at communities that have multiple exposure pathways let's begin approaching it from a risk reduction strategy, incremental risk reduction strategy but are there ways that we could deal with the cumulative impact issue by looking at kind of a multi facility incremental exposure reduction kind of a strategy.

Are there ways of linking a community based strategy to deal with some of the permitting issues that you had raised earlier and should that be distinguished in existing permits and new permits?

So, those are some initial questions I would like to get some feedback on and then I also want to talk a little bit about my initial thoughts about an ongoing dialogue with you in the next few months.

So, with that I will throw it out to you.

Questions and Comments

MS. YEAMPIERRE: Thank you so much. Any comments or questions from council? Jolene?

MS. CATRON: Thank you for the opportunity to speak. I am Jolene Catron and I am Executive Director of Wind River Alliance. You asked what are circumstances that could lead to a community based, what did I write here, what are specific circumstances that lend to a community based perspective kind of thing and I would certainly say that climate adaptation and climate change and around that especially in Native communities that have strong subsistent way of living would certainly be a good way to look at that.

It would also include a lot of interagency kind of coordination things and then also to just kind of go back to the CARE, I am a recipient of Level 1, my organization is a recipient of the Level 1 CARE grant and one of the things I found in CARE is that is a very linear process and when you work in communities non-linear process and so even the roadmap, even though the roadmap is curvy like this it is still linear and I always say this when I go to CARE meetings that it needs to be more spiral fashion.

You go back and you revisit the same task but you are looking at it through a different perspective and then you also have other items that come in from top to bottom and so it isn't just linear.

So I would encourage if you are thinking community based that it is certainly not a linear fashion. Also, I think what is real important to mention too is the opportunity for the communities to define the risks that they face the cumulative risks within their perspective instead of trying to fit the risk model into their community.

We are in the process of starting at that risk ranking right now and that is something that really interests me in how we can really move that forward.

MS. YEAMPIERRE: Kim?

MS. WASSERMAN: Hi, my name is Kim Wasserman from LVEJO. First of all, I have to thank you for coming and talking with us because I think it is really exciting that part of the EJ Plan is looking to getting more teeth to it, later on today you will hear from the NEJAC committee that worked on that, that part of the issue we had with the plan was that there was real no objective and timeline to it so I applaud your effort in coming to talk to us about this because I think you cannot get a better answer from community than talking to the community organizer, so thank you.

I think to echo was Jolene was talking about in regards to the CARE grant, we have not been recipients but I think that it is such a highly competitive market to look for a CARE grant that it only makes me think that there needs to be more money designated to the CARE Program because there is such a great need in our communities to identify environmental hazards that are happening and be able to fund it more consistently through our communities instead of four or five projects, you know, 10 to 12 projects.

With that said, I think that being able to tie other Federal Agencies is key to that. I am hearing Ms. May talk about all these different Federal Agencies working with her, that is great, but unless you get one of those grants that process is not really available to you so I think it would be great if either through the CARE grant or whatever model is replicated to have the ability as a community to say, we are in need of public transit how can we get the FTA to come and talk to us?

Being able to link our organizations and communities with those folks when we don't have necessarily a grant to do that for us and that was it, thanks.

MR. STANISLAUS: Can I gladly respond to that? I will be blunt in that we are kind of budget constrained. So what I would like you to think about is the CARE model I think works because you have all the key local stakeholders participating and really kind of problem solving with kind of technical assistance being able to kind of independently evaluate the circumstance, identify the best ways of reducing impact.

But can we take that model and have the EPA, could EPA play a facilitation role if funding is found elsewhere and even possibly by a coalition of the private sector that is in the community. So, those are some things I would like you all to kind of think about.

MS. YEAMPIERRE: Thank you. Ms. Margaret?

MS. MAY: Thank you for the opportunity to share an experience. Here in Kansas City several years ago working with our local EPA office, we provided an opportunity for several neighborhoods to participate in a trainer to trainer type session on lead paint awareness of the need for lead remediation.

From that, we had some of those folks who decided that they would actually serve as a trainer and they carried messages in the community to folks that lived on their blocks.

From that, we got a lot of people with interest in learning more and actually taking the steps necessary to make their homes more lead free and I think that there has to be creative ways like that to really get these messages across and to get the feedback that you want from the people that you need it from.

Because quite often we have people who are in other positions or with organizations that decided that they are speaking for or on behalf of the community and so you are getting that view which is a higher level view than what you were really looking for at the grass roots level.

In that regard, it is very important that you be aware that this takes time, that you cannot get comments within a 60 day time period if you are really wanting to get down to the grass roots level and there needs to be adequate time for people to give the feedback that would really be good quality feedback.

Finally question, Victoria do we keep track of the people that come to the public comments sessions and where we are able to connect them with the organization, do we have a means of getting to those folks so that they can give us feedback?

MS. ROBINSON: You mean as the NEJAC getting feedback?

MS. MAY: Yes.

MS. ROBINSON: Okay, we do have a record of every person that has given public comment at a NEJAC meeting and in terms of being able to reach out to them we don't know if, we only have what information we would have had 10 years ago where somebody lived, phone number, email so we cannot really, we don't track the public comment as the commentor has spoken or presented a comment.

So we do have a list of their names and their affiliations, whether they are still at the point of contact we don't know but actually your other question related to, you know, reach back and everything that is not something that the NEJAC has done, has set up a mechanism for and I don't think that EPA has -- we have in the past provided those comments to the appropriate Regions for follow up where they can, things like that, all different program offices.

MS. MAY: I was just thinking that that may be a way to drill a little deeper in getting feedback.

MS. ROBINSON: Feedback for EPA or feedback for the NEJAC?

MS. MAY: Actually feedback for NEJAC so that we are in fact representing what the community, we use community so loosely so that we really are getting to the folks where the rubber meets the road.

MS. YEAMPIERRE: Mathy, do you want to respond to Ms. Margaret?

MR. STANISLAUS: I think with respect to the NEJAC and also I will talk about it a little later, I am interested in terms of the folks that you are connected with and what kind of ideas that we can kind begin moving on them. Clearly, the implementation of the community based approach you want to make sure it is done in an authentic in a community based way, that is one of the things you want to kind of build into whatever set of tools that comes out of this process.

MS. MAY: And then again to the time. The comment, the length of time that you allow to get feedback.

MR. STANISLAUS: Again, at least with respect to this activity to begin working on an implantation plan and continue to examine this. In terms of, I did the separate issue I have heard also is generally the comment period for community comments and permit process that is something that we have to take up program by program.

MS. YEAMPIERRE: Thank you. Hilton?

MR. KELLEY: Yes, Hilton Kelley with the Community In-power and Development Association, how are you doing Mathy?

MR. STANISLAUS: Good, how are you?

MR. KELLEY: Down in Port Arthur, Texas on the Gulf Coast. Mathy, as you know there are multiple stresses down on the Gulf Coast when it comes to chemical exposures. As a matter of fact, in the area of Beaumont and Port Arthur and Norko, Louisiana we are dealing with chemical plants particularly westside Port Arthur chemical plants, incinerator facilities, refineries and other small emission releasers like out ship channel. We have goods movement issues as well.

I would just like to encourage the Environmental Protection Agency to first if you are really serious about looking at cumulative impact start with your hardest hit communities, not necessary Port Arthur, but any community from east, west, north to south pick some of your hardest hit communities

that is out there what communities are being impacted the most.

Then talk with those groups that are on the ground living on the fence line and look at some of the health institutions that have worked with those community groups. For instance, in Port Arthur, Texas we are working at this present time with the University of Texas Medical Branch.

We are also connected with the National Institute of Environmental Health and Science and we have already embarked up on a symptom survey to try and get a better understanding of how household chemicals are impacted in our community. We know what is happening outside, that has been there for years and we know how Benzene 13 Butadiene has impacted our health.

But what we don't know is how all of these chemicals together in our environment is having negative impact on our system. We know individually how it works but I think it is time that the Environmental Protection Agency send agents to heavy hit areas and talk with some of these medical institutions like UTMB look at the National Institute of Environmental Health and Science and then get those gradual groups together at the same table and ask them what is it they need? What are some of the stresses that they are dealing with and how can we address it?

MS. YEAMPIERRE: Vernice?

MS. MILLER-TRAVIS: Thank you Elizabeth. Vernice Miller-Travis, Maryland State Commission on Environmental Justice and Sustainable Communities, hi Mathy.

MR. STANISLAUS: Hello.

MS. MILLER-TRAVIS: Welcome back. My question for you is about this concept you are talking about and its relationship to the Brownfield(s) Program. In 2013 I think we will be celebrating the 20th anniversary of the Brownfield(s) Program and a program that started so deeply enmeshed and engaged in community and community reality I think has become so successful and so widely accepted that maybe its connection with community has gotten a little further outside of the circle than where it started.

How do you see this process being able to sort of build that relationship again back to community because now we are in the third, fourth fifth generation of brownfield sites but we still are facing the same challenges that we ever faced in communities that are beset by those problems. How do you see what you just talked about fitting into the Brownfield(s) Program?

MR. STANISLAUS: Sure. What I have already begun to do is to kind of reinvigorate the community connection with brownfield(s). In last year's solicitation we reaffirmed and added criteria to focus on economic distress communities and the need for communities to be involved both pre-application and post-application.

But also something that I did in New York is --- my planning program to really bring about a community based planning focus in economic discharge communities so that the end uses meet community needs but also look at the surrounding conditions.

From an area-wide perspective and economic discharge community you are not going to revitalize, re-develop those properties and meet community needs without looking at the surrounding conditions, without looking at the elaborate infrastructure and this investment. Without looking for the need for street scape investment, those kind of area-wide improvements that would revitalize the community.

So we just announced an initial pilot about three weeks ago, 23 pilots around the county. But we also both in terms of that pilot as well as the sustainability partnership policy, if that is all we do then all we are affecting is that set of communities.

What we plan to do with our other Federal Agency partners is how do we change our programs to make it more community based? The fact is there are too many programs of individualized criteria that doesn't look at how they fit together and then in some cases in the past have had a destructive effect where you invest separately in neighborhoods. So, we would be consciously looking at that as well.

MS. YEAMPIERRE: Shankar?

MR. PRASAD: Nice to see you again and welcome. You hit the nail on the head when you said whether we should be thinking about the existing areas with ---. So one way to think about that, can we take a different approach in areas that have the problem today? When we think about any other context how do we --- recognize the problem in the future so that we do not create those kinds of areas.

Again, because of the brownfield sustainability programs and there is more in need as the climate changes should come within the next five years or anything, the infield and the smart growth all that will happen so there will be a multi-zoning coming back into the picture.

So having said that, one of the things most important there are more communities than any time the CARE Program can provide for. It is to prioritize and identify in each of your Regions and have a CARE Program such that those --- area depending on your level of funding five percent of the top areas, 10 percent of the top communities that come into play and put a sustainable program with a multi-year funding because in order to bring out some change it needs more time so that is one way to look at it.

Also, you may want to take a look at this prior project that has been started also it also called CARE Program from the barrier district where it identifies six zones, six areas, reach out consider it on the map, community impacts taking into consideration exposure, demographics and the health and have identified six areas where that putting more money and they are doing a sequel analysis differently, they are now going back to the board thinking of changing the threshold for permits.

Also, they are working with San Jose which is also one of the areas slated to look at their general plan guidelines of 20, 30 and 20, 50 goals how to incorporate these kinds of principles into their growth patterns.

So there are some models that are working and this is something if you look back in the community impact's report, EJC's report, all the permitting guidelines that was done by through this council over the last 15 years it has always been pointed out that identify then think of a multi stakeholder process and make a long term commitment to bring about a change.

The last comment, we are also handicapped by this threshold based approach. Through the extent we cannot characterize the risk and the degree from multiple pollutants. It is an important part of the --- program which will go on beyond our lifetime to come to any kind of a consensus ---.

On the other hand, if we move away from the context of the risk but instead of exposure it changes the whole approach. All we are doing is actually mitigating the exposure not the --- indirectly the risk. So, it is sort of thought process to think about this, can we move away from this risk and threshold based approach to an exposure modeling or an exposure based approach would also be a good way to consider.

MR. STANISLAUS: One thing I would like you all to think about is I don't think we would have to do both, we can either do the science but in my mind the CARE example is a good one because its effects have been risk reduction.

You look at common exposure and risk reduction and so what I want you to think about is again we are constrained about the total amount of money we have but there are lots of ways of bringing the key entity to the table in a legitimate authenticate way to bring about a risk reduction even in the absence of conclusive risk determinations, that is one of the things I would like to kind of explore. The potential role of EPA, the potential role of states and local governments working with communities in the private sectors and communities.

MR. PRASAD: I agree with you but have a slightly different --- from that. When we talk of reducing we are only reducing the exposure. By reducing emission not at a discharge we are reducing the exposure not necessarily the true risk.

MS. YEAMPIERRE: Edith?

MS. PESTANA: Hi, I am Edith Pestana and I am with the Connecticut Department of Environmental Protection. Just a couple of notes on a variety of the conversations that have gone around to follow up on Kim and Shankar and your own comments on the CARE Program.

THE CARE Program I know in the State of Connecticut has been quite valuable. We have had some recipients of that grant and it has been really good to bring people around the table.

But to address what Kim had brought up for those communities that don't have the benefit of receiving the funding for it, I think that model could be used. I don't know if all the Regions in EPA have facilitators.

Region 1 has excellent facilitators that they make available to communities throughout New England and they have had a model that they have been using where if a community needs to talk to a number of entities and they are frustrated because it doesn't appear that their concerns are being heard and often times that is because they may not be able to articulate what it is that is frustrating them.

So they need a facilitator that will help them sort of think about what it is that is really their issues and how to articulate that to the entity that is creating the problem and Region 1 has been really excellent at doing that and with just coming down, working with communities, working with a variety of State and Federal Agencies.

We had on several occasions had them facilitate meetings with the Department of

Transportation including the Federal Department of Transportation, I am sure I didn't name them correctly, but they were able to -- you can imagine with the American Recovery Act there is a lot of construction and repair going on in highways and these are affecting EJ communities with noise issues at all hours of the day, vibration problems, dust, a variety of things, having their streets torn up and their lives pretty much changed.

So it was so wonderful to be able to call Region 1 and they offered their facilitation and it worked out so well that the State Department of Transportation actually got together with Region 1's Environmental Justice Coordinator Amy Braz and they developed a model for training of other DOT employees on how to better communicate with the public and address the public's concerns.

So it not only facilitated the problems and alleviated a lot of the issues the community was feeling but it also trained other State people on how to work with other people together and that didn't require grant money. It just required that that Region was willing to do that and offer that service.

The other thing that Region 1 has is that they have an urban environment initiative and that urban environment initiative is a wonderful model. They have dedicated staff in the Regions that are assigned to different cities that they have identified that has, as Shankar and some others have alluded here, that we know are overburdened and need the assistance now.

They have dedicated staff that work with the communities in Rhode Island, Massachusetts, Connecticut providing them with technical assistance they need. If there are grant monies available throughout EPA they help them to show them how to apply for grants, help them to understand the process, the resources that are available, act as facilitators in those communities to bring together the municipality if it is an issue.

The industry if it is an issue and get them to talk and come to the table and that has been really successful at just building the communities, just technical knowledge on process and laws and connecting them with individuals that they need to be connected with as well as EPA has also learned and created relationships which are so important to Regions for the EPA to actually create relationships with these communities. So those are my comments and thoughts.

MS. YEAMPIERRE: Lang?

MR. MARSH: Lang Marsh, National Policy Consensus Center. Thank you Mathy for involving us in your deliberations about the community based kind of approach to solving problems.

You asked for some particular examples and I thought I would just give you a few. One is, we recently came out with a report on the goods movement and in that report which was basically a diesel emission reduction strategy affecting the distressed communities but from a variety of different sources, not just one kind of facility.

In our report, we recommended that you need some kind of multi-stakeholder process partnership process community based facilitated process if possible or a process that is more top down from, it can be by the Government, to bring everybody together around the table.

In its response, EPA gave us I think 19 examples many drawn from the CARE Program of where elements of that kind of process have been included so you might want to look at EPA's response which was prepared by Region 9.

In terms of multiple risk reduction, I think sort of staying in the diesel emission reduction arena I think some of the clean air plans that the ports, particularly in the West Coast but also some other ports have adopted over the last few years to address multiple sources of risk reduction that have had significant benefits from the communities that surrounds those ports are worth looking at.

The one I am most familiar with is Seattle Tacoma but there are others as well. Then looking beyond the traditional EPA arena there has now been about 20 years of experience with watershed councils and I think they have some, they are problem solving organizations that deal with water and water quality and endangered species issues and so on.

But the way they are organized and have developed means of getting things done and accountability unevenly, I have to admit some have been a lot more successful than others, may have some application in the fields that you are interested in.

For example, they are basically land owner based but if you are dealing with brownfield(s) and you want to expand the outcomes around the site then having all of the landowners involved in some process that provides them an opportunity to contribute to the solution is perhaps relevant.

We have been experimenting for the last 10 years on a program in Oregon which is convened by the Governor but it could be by any political leader to bring people together around solving

problems if any of them environmental, some of them Environmental Justice issues that might be looking at because the effect of it is to bring more resources to the table from non-traditional parties and there are many other processees like that around the country but those are the ones that I am familiar with.

MS. YEAMPIERRE: Thank you. Father Vien?

FATHER NGUYEN: I don't know if I could really answer your question but if you want to have a genuine community base action, by the way it is Vien Nguyen from MQ of VNCD, they have genuine community based action, there has to be community based organizations. There has to be community based capacity.

Hilton mentioned about communities that are hardest hit, what if they surface on the map? How do you know where they are? There are many issues that have to deal with, I am thinking of pre-communities Mossville, Louisiana. I was surprised that we had a comment from them.

This is a total surprise because that community is employed by a company that is producing toxic stuff. It is hurting them, it is killing them but they wouldn't even give us their names when we talked to them for fear that the company would fire them. That is one side of it, Mossville, Louisiana.

Another community in Oakville, Louisiana. This community has been fighting a landfill that is 150 feet from their homes, not the --- from their homes for the last 22 years to no avail. They are just exhausted.

Without outside help I don't know what they can do. I am thinking about bayou --- where it is a conglomerate of Asians and Southeast Asians and none of them have enough critical mass to really pull the whole community together and we cannot even talk about --- they don't have the capacity to apply with that. What do we do with that?

MS. YEAMPIERRE: That was a good question. So there are two questions before us. One is, what are examples that can be replicated? The other one is, what are circumstances that can benefit from a community based approach and I would ask that for purposes of time that we just answer those questions.

We do know that the community in Mossville, Father Vien has come before us I think in the last three meetings we have had and they have submitted testimony and it should be in your package and you might want to look at that.

So, I am going to call on Savi and then Sue, then Jolene and then I will circle back to Kim.

MS. HORNE: Hi Mathy. I was just thinking, I am Savi Horne with Land Loss Prevention Project out of Durham, North Carolina. So we do some work on CAFO's and because of Margaret's enthusiasm with the CARE Program and being its champion, I was just wondering if there would be opportunity to kind of fund a CARE project around some kind of CAFOs looking at community health and environment to begin and get that conversation rolling within the Agency but also within a community using a community based approach which hopefully you could get someone from one of the integrators at the table with the community and try and approach the problem in a different kind of way.

If that wouldn't be a template to kind of get the EPA moving to get something on CAFOs because it seemed to me you have got to kind of build a base up because it becomes so politicized and that might be one way in which we can do some creative thinking of looking at CAFOs especially when you already have community based movement working in areas on the issue.

MS. YEAMPIERRE: Okay, Sue?

MS. BRIGGUM: Hi Mathy, it is Sue Briggum and thank you. Actually, there is some connection between what Savi just said and what I would like to mention from our discussion this morning.

We talked in terms of Environmental Justice and permitting and addressing cumulative risk about the importance of focusing on your community and then using maximum leverage to achieve Environmental Justice through the use of permits.

I know that at the moment and OSWER in particular is kind of at a dividing point where you are making the policy call with regard to what is the scope of your authority over waste issues. Do you in fact have authority over CAFOs, authority to issue nationally enforceable regulations and permits for public utilities and coal action poundments.

I would just encourage you to think as you are looking about the arsenal that you can bring to Environmental Justice that you have a moment when even the utility industry has said we believe you have that authority on industrial waste streams, we urge you to use it. I think that that will be an important strength for your office going forward.

MS. YEAMPIERRE: I would like to make a comment because I haven't had an opportunity to say anything yet. There is a model obviously in New York City with the BOAP Program, the brownfield opportunity area program that has been replicated in the City where you have developers working closely with community groups and the community groups cannot access the State or City funds, I mean the developers cannot unless they work the communities on a community driven vision.

It really has been transformative, it has been adopted by the Mayor's Office and it is something that I think can be replicated all over and you helped create that but it is an example of how lands that would remain toxic or noxious can be re-developed consistent with community priorities and I think it is a good example.

The other problem, the other thing that could be as an opportunity to look at is these models of community resilience that are being developed all over the country where communities are dealing with issues like climate adaptation that has been mentioned by Shankar and Jolene.

In our community for example, we are worried about the significant Maritime Industry areas because there is a possibility of a storm surge in the next 10 years and we have hundreds of manufacturers and we don't know what chemicals they are using.

So if there is a storm surge it means that they can create a huge brownfield out of the entire community and so in developing these community resilience efforts we are trying to bring a multiplicity of stakeholders together to look at not only preparedness but also adaptation and how do we talk about things like attenuation of sea level rise? How do we give manufacturers the resources they need so that they can protect the industry so people can continue to walk to work?

How do we make sure that communities have insurance so that their basements when flooded they will actually get paid? What happens with mold and mildew? The questions are really complex and really require community at the table but with a variety of technical expertise and so it is also an opportunity, and interagency opportunity, so I am thinking when you are talking about community based approaches that we not lose sight of the fact that it is important to do this in a way that engages a variety of agencies in addressing these issues.

So I just wanted to share that with you. Kim? Jolene, I am sorry.

MS. CATRON: Just a quick thought. When you are talking about maybe perhaps a national CARE kind of program and some of the experiences that I went through as a small grass roots organization on a Reservation.

Almost one of the first things that happened after I signed the grant paperwork and the Board approved it and everything is we got hit with a desktop review of all of our policies and procedures. So, as a small struggling organization we spent a lot of resources, a lot of our general support resources making sure that all of our policies could pass Federal review of that.

So my thinking is, if you are doing a CARE Program on a national level for Tribes there are a lot of things that are very Tribal specific, unique to our communities. Perhaps, the coordination needs to come for that CARE Program through the Office of the, the Indian Office, I don't even know what it is called anymore. I call it the AIEO still but I know it has a different name.

But perhaps that would also encourage Tribal Governments, Tribal Agencies to be thinking at the community base level.

MS. YEAMPIERRE: Mathy, do you want to respond or should I go onto Kim?

MR. STANISLAUS: Yes.

MS. YEAMPIERRE: Kim?

MS. WASSERMAN: I am sorry, I found the rest of my notes. I didn't get to finish talking about the CARE. What I was suggesting was is since CARE is such a great program for other departments within the Federal Government to adopt the CARE Program that they would fund themselves.

So like the Department of Transportation would run a CARE Program or something like the CARE Program. Number 2, I think one thing that has worked for us that we learned about and knew nothing about were SEPs. We did not know what SEPs were.

Region 5 filled us in on what they were and helped us guide that conversation and what we realized was that a lot of the big greens knew what SEPs were and were taking full advantage of that to fund things on a citywide level or organizational level but our communities were missing out on that.

So I think that working with communities to explain what SEPs are and guide them through that is a really great thing. I think helping create better lines of communication from the Federal Government down to the State and city level is really important. A lot of states, State offices, are behind

the Federal Government when it comes to a lot of different things from permitting to just a lot of different things.

When we are talking to them and talking about the great conversations we are having here, that doesn't necessarily resonate on a State level and so I think having more fluid conversations with the states might benefit pushing community based approaches.

Finally, I just think that continuing this conversation with community on the solutions that are coming from the ground are key to this because I think it is one thing to just have a conversation but it is another thing to implement that and I think that that is incredibly key because it says in there it is a community based action and so I think continuing not just here but in the community in large to have that conversation is going to be key for this part of the plan.

MS. YEAMPIERRE: Thank you. I think Mathy, also we make the assumption sometimes that agencies have the cultural competencies to work with our communities in meaningful ways and we are talking about a variety of agencies, some of which have no experience working on issues of Environmental Justice and so just as communities need to get the attention of a variety of agencies so that we can start dealing with complex problems, I think the community should also be a vehicle of educating agencies on how to work with our communities.

So for example, if you are talking about Jolene's communities are you talking about a cultural set of issues where that community can be a resource in helping the agencies to work more effectively. If you are talking about undocumented communities or folks that are immigrants that is another set of things that are required.

So there should be resources for these communities to be able to educate the agencies so that they can be more strategic and more intentional in the delivery of services on the ground. Nick?

MR. TARG: Thank you very much. Nicholas Targ representing the ABA here today. I want to –

MS. YEAMPIERRE: Nicholas we cannot hear you, can you move closer?

MR. TARG: I want to scoot over a little bit more to set myself in front of the mic and I want to thank you very much for your leadership and your leadership in helping pull together diverse coalitions to attack issues of Environmental Justice involving hazardous waste sites in particular brownfield(s).

Your area wide planning grants for which a client of mine, the City of Richmond applied and did not receive, inspired us to get together with some of the community based organizations to look at a particular area of Richmond that really needed attention with respect to about 15 acres of impacted land and look at ways in which we could collectively address these issues.

While again we didn't receive the grant, it did inspire us to get together and create that kind of incentive that is going to propel the City forward and I wanted to thank you very much for that leadership and encourage you to continue to put forward grants like that for which the City of Richmond is likely to apply again. But it focuses our attention and it helps them move faster by getting all of the oars moving in the right direction. Thank you.

MS. YEAMPIERRE: Thank you. Wynecta?

MS. FISHER: Hi Mathy. I just want to echo what everyone is saying, you and your office have been phenomenal and thank you so much for the guidance.

I am thinking about something that Edith said and Kim and Jolene and I know with a lot of community groups they don't have a lot of resources but Edith mentioned this in Region 1 how they have the facilitators and what came to mind in an area where I live is the RC&D councils. The RC&D councils are all across the United States, someone is shaking their head so they know what I am talking about, they provide technical assistance.

The unfortunate thing is they don't necessarily advertise like, hey we are here we can do this, but they provide technical assistance. They are affiliated with NRCS so they have soil maps, they have any and everything you can think of and that might be a resource that communities can tap into and then what I thought about when you were talking about these brownfield(s) area wide planning grants because I am quite sure there is an urban garden component in one of those grantees.

This would be a nice way to do as a pilot, a partnership because that is money that that particular grantee could save by tapping into RC&D and getting that free technical assistance.

MS. MILLER-TRAVIS: Excuse me Elizabeth, can you just ask what is RC&D?

MS. YEAMPIERRE: You just did. Go ahead, could you say what that is?

MS. FISHER: It stands for Resource Conversation and Development Council, c-

o-u-n-c-i-l, I am getting an accent.

MS. YEAMPIERRE: Thank you Wyneckta. So Mathy, do you have any final comments that you would like to share with the council?

MR. STANISLAUS: Sure, one I enjoyed this conversation (laughing), but I want to continue the conversation. So, if you have any immediate thoughts right after that Pat Carry, Pat where are you? Stand up (laughing). Okay, shoot her an email but I would like to kind of schedule kind of a series of calls to really kind of hone in on a strategy.

So after this meeting let's kind of think about a sequence of that and I think I have also served on the NEJAC before. I did real productive work like it happened, if we do this in kind of an --- way so I will leave it up to you to kind of figure out a schedule for doing that. Thank you.

MS. YEAMPIERRE: Thank you so much for that offer and thanks for joining us.

MR. STANISLAUS: Thank you.

MS. YEAMPIERRE: Thank you. If the next panel can come up and in the meantime Lisa Garcia is going to be making an announcement.

MS. GARCIA: Good afternoon, hi everyone. I just wanted to let everyone know that EPA is releasing its new draft for voluntary guidelines for selecting safe school locations and so this is where EPA provides new tools for communities making school siting decisions and it is going out today at 2:00 so I guess that is happening right now.

It is out for public comment for 90 days and comments will be accepted until 4:00 p.m. on February 18th, 2011. You can go to the EPA schoolsiting.icfi.com for information or I am sure it is going to be on our main website.

But I would definitely encourage you, I know some of you were actually part of the committee that helped to draft some of the recommendations for that guidance, so I would encourage you to look at that and certainly go back to your communities and other members to talk about the school, the draft that is out. Thank you.

Environmental Justice Challenges Facing Rural Communities Panel

MS. YEAMPIERRE: We are very excited to have you join us today. This is the first time, unless someone wants to correct me there is always that one person around who does that and I may be wrong it happens, but I think this is the first time that we actually have an opportunity to engage rural communities that the NEJAC does that and we think that it is extremely important.

Some of us come from urban communities but we understand the important relationship between our communities and yours and the interconnectedness and we think that it is impossible to address Environmental Justice issues without addressing rural issues. So welcome.

I am going to introduce you. I am going to begin Vanessa Frazier. Vanessa Frazier is Executive Director of Howardville Community Betterment a non-profit community based organization that works to initiate and implement programs that address health disparities and the pressing health needs of at risk infants and youth in undeserved communities in the Missouri boot hill.

The community betterment also offers educational presentations on health topics and serves as a resource and referral contact for other rural communities. The impact of the environment on human life in rural areas caused Ms. Frazier to pursue studies in child development with a focus on psychology and the fusing of environmental laws and dispute resolution alternatives that contribute to the development, health, well being and productivity of every citizen.

She has over 33 years of experience in community based organization, volunteering, coordination, supervising, budgeting, surveys, data analysis, budget monitoring, assessments and working with diversity in communities.

Marcie McLaughlin is the Chief Executive Officer for the Midwest Assistance Program and she recently joined that program as its CEO. For the past six years, Marcie McLaughlin served as the Director of Constituent Relations for the Rural Policy Research Institute in Washington, DC which conducts policy relevant research and facilitates public dialogue to assist policymakers in understanding the rural impact of public policies and programs.

In 1995, Ms. McLaughlin found at Minnesota Rural Partners the State Rural Development Council and served as its Executive Director for 10 years. She was a Bush Foundation Leadership Fellow in 2002 and holds a master's in public administration from the Kennedy School of Government at Harvard University. Welcome.

I don't have biographies for the other two members of the panel, so when it is time for